

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77590 of 2018

Arising Out of PS. Case No.-101 Year-2017 Thana- BARURAJ District- Muzaffarpur

Awadh Kumar Gupta S/o Late Sita Ram Sah, R/o Vill.- Dariya Bapra, P.S.-
Motipur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-01-2019 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in Baruraj P.S. Case No. 101 of 2017, instituted for the offence under Sections 272, 273 of the Indian Penal Code, Section 30(a) of Bihar Prohibition and Excise Act, Sections 25(1-B)A, 25 and 35 of the Arms Act.

The informant alleged in the written report that he got secret information on 4.9.2017 that in the house of Gopal Shahi, liquor and illegal arms are kept. The informant along with police personnel reached there. On seeing the police party some persons began to run away. Two persons were apprehended by the police who disclosed their name as Gopal Shahi and Awadh Kumar Gupta (petitioner). On search, one loaded country made *Katta* and cartridges have been recovered



from possession of the petitioner. It is further alleged that on search of the house of co-accused Gopal Shahi, five empty bottles of illicit liquor kept in a sack was found and in another room, four pieces of 375 ml. and two pieces of 375 ml. (both opened containing 100 ml. each) of foreign liquor has been recovered.

Counsel for the petitioner submits that petitioner is in custody since 5.9.2017.

Keeping in view the period spent by the petitioner in custody, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Baruraj P.S. Case No. 101 of 2017, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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